

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RANDY AUSBORN,

Petitioner,

v.

CDCR,

Respondent.

No. 2:20-cv-1399 JAM DB P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 19, 2020, the magistrate judge filed findings and recommendations herein which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within thirty days. Petitioner has not filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 19, 2020, are adopted in full; and
2. Petitioner's petition for a writ of habeas corpus is dismissed without prejudice for

petitioner's failure to prosecute and failure to respond to a court order. See Fed. R. Civ. P. 41;
E.D. Cal. R. 110.

DATED: December 7, 2020

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE